

Problems and Needs Listing

April 17, 2008

Saugus Charter Commission



Peter Manoogian - Chairman
Debra Panetta - Vice Chairman
Gene Decareau - Treasurer
Karen Cote - Clerk
Cam Cicolini
Karla J. de Steuben
Albert Diotte Jr.
Joan Fowler
Tom Stewart

The Saugus Charter Commission now presents to the community the problems and needs it has identified with the current structure of Saugus town government. Each problem / need presented is supported with evidence obtained after five months of investigation consisting of nineteen public meetings, three public hearings, department head and appointed board interviews, as well as a campaign of public outreach.

The problem / need identification phase will now be followed by a research phase whereby the Charter Commission will examine governmental structures of other communities within and outside of Massachusetts to learn how others have addressed the problems / needs we have identified. This phase will continue until the end of July 2008.

There is a need to update the existing charter language. There are numerous instances of language and provisions that are outdated and confusing. As we go forward into the research phase of our work, we are aware that there is a concern that any proposed government structure not result in decision making that is subject to the influence of special interest, particularly in the area of zoning and land use. This concern needs to be addressed no matter what the charter commission decides to propose.

Specific problems we have identified can be placed into six distinctive categories:

- I. Elections – Term of Office – Vacancies
- II. Accountability and Public Policy
- III.** Town Meeting
- IV. Finance Committee – Appropriations – Budget
- V. Town Manager
- VI. Appointed Boards – Commissions – Human Resources

I. ELECTIONS – TERM OF OFFICE - VACANCIES

- 1.) All the governing bodies in town (the Board of Selectmen, the School Committee, and the Town Meeting) do not have **staggered terms**. This is a problem because there could be a complete turnover of board members, which would leave no experienced board members, and because it only allows the voters to express their views on current policies once every two years. J.F., E.D., D.P. K.D., K.C.

- 2.) **Length of Term** too short for Selectmen. E.D.
- 3.) **Filling of vacancy** on Selectmen and School Committee. D.P., K.C.
- 4.) **Recall provision** of 25% in 25 days may be extremely difficult and there is no recall provision for the legislative body. P.M.

II. ACCOUNTABILITY / PUBLIC POLICY

- 5.) Two un-elected entities have the most authority in Town with no direct **accountability** to the people: the Town Manager and the Finance Committee. Both entities determine the level of appropriations for each town department and the level of appropriations determine what policies the town implements. K.D.
- 6.) **Citizen confusion**: A number of **citizens** seem confused about how Saugus's government operates and how decisions are made and/or do not feel comfortable addressing the Board of Selectmen. K.D. T.S.
- 7.) **Public policy** established by appointed rather than elected officials. P.M.
- 8.) **Communication** between boards and committees in town, public officials, and the public seems to be broken. K.D., K.C.
- 9.) There is a general **lack of accountability** in the town government as currently structured. T.S.
- 10.) The **current ethics clause** found in Article 2, S33 of the charter was written before the state's conflict of interest law and is outdated. E.D.

III. TOWN MEETING

- 11.) Very few members of the **Town Meeting**, which is the appropriating body in town, seem to understand the budget. K.D.
- 12.) **Town Meeting limitations** - Limited to action on warrant and when called upon. P.M.
- 13.) Representative structure of **Town Meeting – increase**. J.F.
- 14.) **Employees voting** on their own budgets as **Town Meeting Members**. J.F., E.D.,
- 15.) **Employees seeking** a seat as a Town Meeting member. C.C.
- 16.) **Town Meeting exempt from conflict of interest law**. P.M.
- 17.) **Communication / Co-ordination** among and between departments. J.F. G.D.

IV. FINANCE COMMITTEE, APPROPRIATION, BUDGET

- 18.) **Finance Committee lacks professional independent advisor** such as a comptroller, who is supervised directly by them. A.D.
- 19.) **Lack of internal audit** process. P.M.
- 20.) **Finance Committee is unable to obtain** independent unambiguous information in a timely manner. P.M.

- 21.) Finance Committee does not receive information in a timely manner. E.D.
- 22.) Finance Committee's Report is not communicated on time to the Town Clerk or to the citizens. D.P., P.M.
- 23.) Late arrival of budget to Town Meeting, C.C., K.C.
- 24.) The budget process and timeframes as spelled out in the current charter are not working. T.S.
- 25.) Monitoring of appropriations by elected and appointed boards is infrequent and inadequate. P.M.
- 26.) Limited role of the School Committee in the establishment of their budget. A.D., C.C.

V. TOWN MANAGER

- 27.) Evaluations of Town Manager, Town Department Heads and non-school employees does not occur. J.F., D.P., P.M.
- 28.) Town Manager not required to have set goals. D.P.
- 29.) Accountability of Town Manager to the Board of Selectmen. J.F., E.D., P.M.
- 30.) Lack of Reporting by Town Manager to the Selectmen. A.D.
- 31.) Future planning and capital improvement planning is not required of the Town Manager. K.D.
- 32.) Appointment process for Town Manager results in lack of accountability of the Town Manager. A.D.
- 33.) Appointment of Town Manager, should it be via election or appointment? C.C.
- 34.) Temporary Town Manager has unspecified term of office and unspecified requirement for amount of votes necessary to obtain position. D.P. P.M.
- 35.) Termination process for Town Manager requires 4/5 vote. P.M.
- 36.) Term of Office for Town Manager – not specified. P.M.
- 37.) Appointments made by Town Manager to Board and Committees too numerous. Selectmen should have more of a role in appointing board and committee members. A.D., C.C.
- 38.) Assessors being subject to supervision and direction of Town Manager contrary to state statute. D.P.

VI. Appointed Boards, Commissions and Human Resources

- 39.) Cemetery Commissioners – not clear who they report to. P.M.
- 40.) Library Trustees role not defined. P.M.
- 41.) Board of Public Welfare does not exist. P.M.
- 42.) Tree Warden's role and function not implemented. D.P.
- 43.) Tree Committee is not in the charter. D.P.

- 44.) **Town Clerk's residency requirement** not clear. P.M.
- 45.) **Water and Sewer** rates and policies established by different bodies. P.M., K.C.
- 46.) **Superintendent of Public Works** should have a degree in Engineering. A.D.
- 47.) **Training and development** for Department Heads and employees does not take place in a coordinated manner. J.F.
- 48.) There are changes needed in **the way appointments are made** to various boards and commissions in the town. T.S.
- 49.) There is no provision in the charter that specifies the **maximum amount of constables** allowed in Saugus. K.D.